



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,566	03/15/2000	John L Breckenridge		1183

7590 06/23/2005  
John L Breckenridge  
3280 Sunrise Highway #57  
Wantagh, NY 11793

EXAMINER

BARNIE, REXFORD N

ART UNIT PAPER NUMBER

2643

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/525,566

Applicant(s)

BRECKENRIDGE, JOHN L

Examiner

REXFORD N BARNIE

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 10/24/2004
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*RBarnie*  
REXFORD BARNIE  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, 9-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651).

Regarding claim 1, Gabara teaches a telephone dialing method for call completion comprising of receiving a subscriber initiated dial string, determining whether a dialed number is incomplete (7 digits dialed), allowing a complete number to be dialed and if not, complete adding a default prefix to the number in (see fig. 3 and col. 2 line 44-col. 3 line 3, col. 4 line 58-col. 5 line 16) but fails to teach the parsing factor and whether a number dialed is complete in detail.

Kaplan teaches a telephone number parser for wireless local loop telephones wherein a determination can be made whether a telephone number entered into a telephone represents a completed number ready for transmission in (see col. 1 lines 5-10). Furthermore, according to Kaplan, a parsing table can be consulted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaplan into that of Gabara thus making it possible to avoid tying up network resources with incomplete dialed telephone numbers.

Art Unit: 2643

Regarding claims 3-4 and 10-12, The combination teaches time out, also a complete number could be a ten digit dialed number whereas an incomplete number could be considered as a seven digit dialed number.

Regarding claims 7 and 15, The combination including Gabara teaches adding a 1 as part of a prefix in (see col. 6 line 44-56).

Regarding claim 9, Gabara teaches a telephone dialing method for call completion comprising of receiving a subscriber initiated dial string, determining whether a dialed number is incomplete (7 digits dialed), allowing a complete number to be dialed and if not, complete adding a default prefix to the number in (see fig. 3 and col. 2 line 44-col. 3 line 3, col. 4 line 58-col. 5 line 16) but fails to teach the parsing factor and whether a number dialed is complete in detail.

Kaplan teaches a telephone number parser for wireless local loop telephones wherein a determination can be made whether a telephone number entered into a telephone represents a completed number ready for transmission in (see col. 1 lines 5-10). Furthermore, according to Kaplan, a parsing table can be consulted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaplan into that of Gabara thus making it possible to avoid tying up network resources with incomplete dialed telephone numbers.

Art Unit: 2643

Claims 5, 6, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651) and further in view of Detering et al. (US Pat# 5,588,049).

Regarding claims 5, 6, 13, 14, The combination fails to teach the claimed subject matter but Detering teaches a method of blocking caller ID or sending caller ID as desired in (see abstract and disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Detering into that of the combination thus making it possible to protect one's privacy as desired.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651) and further in view of Rosen et al. (US Pat# 6,567,675).

Regarding claims 8 and 16, The combination fails to teach the claimed subject matter in detail but Rosen teaches a programmable automatic prefix dialer for wireless which teaches an off hook detector, flashes and dialing a complete number in (see disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rosen into that of the combination thus making it possible to avoid tying up network resources with incomplete dialed telephone numbers.

Art Unit: 2643

Claims 17, 18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651) and further in view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719).

Regarding claim 17, Gabara teaches a telephone dialing method for call completion comprising of receiving a subscriber initiated dial string, determining whether a dialed number is incomplete (7 digits dialed), allowing a complete number to be dialed and if not, complete adding a default prefix to the number in (see fig. 3 and col. 2 line 44-col. 3 line 3, col. 4 line 58-col. 5 line 16) but fails to teach the parsing factor and whether a number dialed is complete in detail.

Kaplan teaches a telephone number parser for wireless local loop telephones wherein a determination can be made whether a telephone number entered into a telephone represents a completed number ready for transmission in (see col. 1 lines 5-10). Furthermore, according to Kaplan, a parsing table can be consulted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaplan into that of Gabara thus making it possible to avoid tying up network resources with incomplete dialed telephone numbers.

The combination fails to teach means for notifying a user of a programmed default dialing prefix, eventhough, arguably when a phone is programmed such as a cellular phone, input data can be displayed to a user.

Art Unit: 2643

Waldman teaches an automatic area code dialing apparatus and methods particularly adapted for cellular or other types of cellular in (see col. 3 line 7-20 and col. 7 line 29-41) wherein a default prefix can be displayed as programmed.

Tomiyori teaches a mobile unit with speed dialing feature for cellular telephone network in (see disclosure) wherein a default prefix can be retrieved and shown on a display or possibly, can be shown as configured.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either one of the secondary reference into that of the combination thus making a user aware of a stored prefix and also, giving a user the ability to change it the prefix is wrong as stored.

Regarding claim 18, The combination renders the claimed subject matter obvious.

Regarding claim 21, the combination including Gabara teaches the claimed subject matter in (see col. 6).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651) and further in view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719) and Detering et al. (US Pat# 5,588,049).

Regarding claims 19 and 20, The combination fails to teach the claimed subject matter but Detering teaches a method of blocking caller ID or sending caller ID as desired in (see abstract and disclosure).

Art Unit: 2643

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Detering into that of the combination thus making it possible to protect one's privacy as desired.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabara (US Pat# 6,292,557) in view of Kaplan (US Pat# 5,812,651) and further in view of Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719) and Rosen et al. (US Pat# 6,567,675).

Regarding claim 22, The combination fails to teach the claimed subject matter in detail but Rosen teaches a programmable automatic prefix dialer for wireless which teaches an off hook detector, flashes and dialing a complete number in (see disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rosen into that of the combination thus making it possible to avoid tying up network resources with incomplete dialed telephone numbers.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within



Art Unit: 2643

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE

  
REXFORD BARNIE  
PRIMARY EXAMINER